

The Hamilton County Board of Commissioners met on Monday, April 8, 2002 in the Commissioners Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session from 1:10 pm to 1:50 pm. President Clark called the public meeting to order at 1:55 pm. A quorum was declared present of Commissioner Steven A. Holt and Commissioner Sharon R. Clark. Commissioner Steven C. Dillinger was absent.

Executive Session Memoranda:

Holt motioned to approve the Executive Session Memoranda for April 8, 2002. Clark seconded. Motion carried unanimously.

Public Comments: (Tape 1, #30)

Mr. Dick Frost stated he still disagrees with the way the Commissioners handle the Executive Session. He will be filing a formal complaint. Mr. Frost stated as he was in disagreement with the ordinance regarding the Veteran's Burial Allowance, he disagrees with the allowance that says that there shall only be one spouse of the veteran and it is contrary to State law and it is unlawful for the Commissioners to pass that. He will be filing, in due time, against Ordinance 2/11/02/A, Hamilton County Animal Care and Control Ordinance because he says it is unlawful for the Commissioners to pass such an ordinance.

Plat Approvals:

Centennial Townhomes, Buildings 5&6:

Fecitt Subdivision:

Village of West Clay, 3001-A, Lot J:

River Wylde Subdivision:

Mr. Steve Broermann recommended approval of plats for Centennial Townhomes, Buildings 5&6, Fecitt Subdivision, Village of West Clay, Section 3001-A, Lot J and River Wylde Subdivision. Holt motioned to approve. Clark seconded. Motion carried unanimously.

RFP Opening:

Network Security Audit: (Tape 1, #116)

Ms. BJ Casali stated this is a qualification based Request for Proposal for a Network Security Audit. Mr. Howard stated we have received proposals from Inrange Technologies Corporation, KPMG LLP, Logical Network Services, Katz, Sapper and Miller LLP, Schulenberger Network Solutions, Technology Integration Group, and SPC Ameritech. Mr. Howard recommended the proposals be referred to the ISS Department for review and recommendation four weeks from today. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Highway Business: (Tape 1, #209)

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds and Letters of Credit for the Highway Department: 1) HCHD #B-98-0065 - Continuation Certificate for Peerless Insurance Company Bond #18-905900 issued on behalf of English Excavating & Plumbing Co., Inc. to now expire 4/13/03. 2) HCHD #B-99-0022 - Continuation Certificate for Continental Casualty Company Bond #190766580 issued on behalf of Asherwood Temporary Drive Permit to now expire 2/24/03. 3) HCHD #B-99-0038 - Continuation Certificate for Washington International Insurance Company Bond #SUR 7000440 01 issued on behalf of Final Grade Excavating Inc. in the sum of \$25,000 to expire 4/9/03. 4) HCHD #B-02-0024 - Fidelity and Deposit Company Performance Bond issued on behalf of T&R Pavement Markings, Inc. in the sum of \$10,000 for Pavement Markings, Category 8A, 8B, 8D, & 8F to expire 3/15/03. 5) HCHD #B-02-0025 - Great American Insurance Company Supply Contract Bond #1112431 issued on behalf of United Rentals Highway Technologies, Inc. in the sum of \$5,000 for Category No. 8 - Pavement Traffic Markings to expire 2/12/03. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested the release of a Bond for the Highway Department: 1) HCHD #B-01-0084 - Developers Surety and Indemnity Company Performance Bond #886479S issued on behalf of Estridge Development Company for curbs in Section 5 of Centennial. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Agreements:

Bridge #138 Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E-02-0003 with Mid-States Engineering, LLC for rehabilitation of Bridge #138, 136th Street over Cool Creek. This agreement is for surveying and preliminary design only. This current agreement is for a not to exceed of \$16,200.00. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Concurrence with Traffic Studies:

Mr. Locke requested concurrence with the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Holt motioned to approve. Clark seconded. Clark asked if we are looking at the multi-way Stop signs in Ponds West, if they were inside a city limit, would the criteria be different for evaluation? Mr. Locke stated the criteria for evaluation should not be any different. Clark asked Holt to amend his motion to remove Kathy Melikian's letter for approval. Holt agreed to the amendment. Clark and Holt approved the amendment. Clark and Holt approved the letters to Mr. Greg Scheevel and Lonnie Tillery.

Official Actions: (Tape 1, #362)

156th Street:

Mr. Locke requested approval of the Official Action for regulatory signs on 156th Street from Boone County Line to Eagle Creek Avenue. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Acceptance of Right-of-Way:**Warehouse One 66, LLC:**

Mr. Locke requested acceptance of right-of-way from Warehouse One 66, LLC, the southeast corner of 166th Street and Summer Road. Holt motioned to approve. Clark seconded. Motion carried unanimously.

141st Street:

Mr. Locke requested acceptance of right-of-way from PSI Energy, Inc. 650' east of Towne Road on 141st Street for a new substation. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Permission to Advertise:**Resurface Contract 02-2, Various Roads in Delaware, Fall Creek, Noblesville and Wayne Townships:**

Mr. Locke requested permission to advertise for Resurface Contract 02-2, Various Roads in Delaware, Fall Creek, Noblesville and Wayne Townships. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Project Status Report:

Mr. Locke asked if there were any questions on the Highway Department's Project Status Report. Holt had no questions. Clark stated she appreciates the report.

96th Street and Shelborne:

Clark asked Mr. Howard if he has looked into 96th Street and Shelborne? Mr. Howard stated he just received the information and he has not had time to look at it.

Cicero Town Council Request:

Clark stated the Cicero Town Council has requested the county look at finding a way to make the causeway a safer passage for pedestrians and they also requested the 236th Street project continue the last 1/4 mile. Mr. Locke stated the Town of Cicero has requested for the last two or three years, at our annual planning meeting, have requested a walking path across the bridge. We redecked that bridge four or five years ago, so it has quite a long life left. Mr. Locke stated his recommendation to Cicero has been that if they would like to see the path, because it is within city limits, that they look into hiring a consultant and apply for transportation enhancement money. Those monies would cover 80% of any right-of-way, engineering and construction. We have not lengthened the project because we have gone to the county limits and short of an interlocal agreement with them to pay for all the costs to extend our road project, we would not be interested in doing that at this time. Mr. Matt Knight stated the bridge was rehabed in 1996. The cross section does have an existing 5' sidewalk on the south side of the bridge. The sidewalk is not carried across the length of the causeway, just on the bridge itself. The costs he looked into was to widen the causeway a few more feet on the south side. In order to do that we would have to put in a retaining wall through the length of the causeway, which is not a cheap thing to do.

The bridge length is 230', the length of the causeway is approximately 1200'. In looking at installing the wall, he priced a cast in place concrete wall with some sort of decorative finish, and then adding a 5' sidewalk throughout the length of the causeway. We would have to put in new guardrail that is the appropriate height for pedestrian crossing. The approximate cost to do this for the entire causeway is \$1 million for construction costs only. Design fees and right-of-way would be on top of that. The other option was something similar to what Noblesville has done along the railroad tracks to Forest Park. They cantilever the pedestrian bridge off of the railroad bridge and then put the approach bridges on piling. He has not been able to get costs on that. He would guess that would be more expensive than trying to build out the causeway. If they were looking at transportation enhancement funds, that would be an attractive option. Clark asked Mr. Knight to send his information to the Cicero Town Board and reinforce what Mr. Locke recommended that they look at ISTE funds. Holt asked if we could look at ISTE funds? Mr. Locke stated we could, we have been trying to get some additional funds for 106th Street and Towne. They funded half of it 2 years ago and turned us down last year. We are waiting to see what happens this year. He is not sure if we would reapply or move on to another project. If that is so, would the commissioners be interested in us doing the 20% of that project or do you want a joint project with Cicero? It might be easier for them to get funds, if they have not received funds in recent years. Holt stated it is a significant public safety situation. It is primarily kids going to the pool or the park on the west side or kids going to the downtown area on the east side. If there is a fix that could be accomplished where it is primarily funded with federal dollars, it would seem we would have to be in the mix because it is our bridge. He appreciates what he is saying that we request funds all the time, but if we crafted an interlocal without worrying about the local share but looking in terms of getting the federal money, it could be huge. Mr. Locke asked if you would be interested in the county funding a small study up front to look at some of these options to see how much money we should apply for? Mr. Locke stated he does not think we have enough information right now to put together a good application. Holt asked if we could do it in house? Mr. Locke stated he thinks we could get a better application by using someone who has done more trail work. Holt asked if it would make sense to have a dialog on the interlocal agreement first, before we choose a consultant? Mr. Locke stated let us work on an interlocal agreement and present it to you at the next meeting. Holt stated if there is an interlocal if there is a cost share between the entities, it is more likely the entities are going to agree which is the appropriate fix. Mr. Locke stated one of the problems of using the existing 5' on the bridge is the railing transitions, we might want to address those issues.

Gwinn Road Bridge:

Clark stated she has asked Mr. Knight to get a letter to Arcadia regarding the Gwinn Road bridge.

Lobbyist:

Ms. Judy Levine state we have joined with Fishers and Noblesville in retaining Baker, Donelson to lobby for highway and special project monies. We are on the edge of the Senate cut off. It was suggested by Jan Powell that we send a letter to Dan Burton and each of the Senators signed by the President of the Commissioners, President of County Council, Mayor Redick and Scott Faultless. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Petition to Vacate Right of Way:

146th Street near Oak Ridge Road:

Mr. Howard requested approval of a petition to vacate right of way of 146th Street near Oak Ridge Road in Clay Township. Notices of public hearing will be sent out and the ordinance will be before the commissioners at the next meeting. Holt motioned to accept the petition. Clark seconded. Motion carried unanimously.

Auditor: (Tape 1, #1070)

Payroll Claims:

Ms. Robin Mills requested approval of Payroll Claims to be paid April 12, 2002. Holt motioned to approve. Clark seconded. Motion carried unanimously. Ms. Mills requested approval of a special payroll claim for an employee whose comp time was banked and they have requested payment of that time. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Vendor Claims:

Ms. Mills requested approval of Vendor Claims to be paid April 9, 2002. Holt motioned to approve. Clark seconded. Motion carried unanimously.

4-H Fair County Government Display:

Holt stated he has related to Mr. Rushmore that Susan Peterson was in favor of the government tent. Mr. Rushmore indicated he would call Susan and call him back and he did not hear back from Mr. Rushmore. Holt stated he thought he would have heard if there was a problem. Mr. Locke stated Doug Quear indicated he was in favor of it and would add to the fairgrounds and would help draw people. Holt motioned to accept the recommendation. Clark seconded. Clark stated she still has a problem with the county tent being air conditioned. Ms. Levine stated Mr. Quear was very excited about that. Mr. Locke stated right now the only air conditioning is the display area in the new building and by adding the additional area that will be climate controlled would help draw people. Clark stated when you go to a fair and are in a tent you don't expect it to be air conditioned. This will be done with county dollars and she thinks it is extravagant. Ms. Levine stated we will be doing health testing and the equipment is expensive and needs to be in a controlled environment. Clark stated she understands that, she still has a problem with air conditioning a tent. The OV Winks and Annex is air conditioned. Mr. Locke stated the reason we are out there is to get to the public and if we have a place that they want to go, we will see a lot more people thru the tent and at our booths. If we are going to the expense of a county tent we want to draw the people in there and keep them there and comfortable enough to see the charts and graphs, other than the art work that is put in the air conditioned building. Clark stated there is a considerable difference between an established building and a tent. Motion carried unanimously.

White River Township:

Mr. Ray Adler stated he is appearing on behalf of White River Township. They have decided to go forward with the building of a fire barn in the Walnut Grove area. Mr. Adler presented a set of plans for the commissioners to review. Mr. Adler also requested a Common Wage Committee appointment from the commissioners. Holt motioned to appoint Jerry Rulon as our representative

to the Wage Determination Board. Clark seconded. Motion carried unanimously.

Precincts:

Ms. Kathy Richardson requested approval of the precinct locations for the election. Holt motioned to approve. Clark seconded. Motion carried unanimously.

Fair Parking:

Clark asked Mr. Locke if we will be putting gravel on the old highway facilities property for parking at the Fair? Mr. Locke stated the only thing we included in our budget was to connect the drives. Clark asked if that area is ok for parking? Clark stated we always run out of parking. Mr. Locke stated about a third to a half of it is in good shape for parking. The rest of it never dried out to get a good grading done. There would be quite a bit of additional parking available back there. Clark stated she would like to use that for the Fair. Holt stated if it is not raining it will work, he is not sure we want to spend the money. Holt stated he would seed it before he would stone it. Mr. Locke will check with Mr. Warner about the seeding.

Clark called a break. Clark called the meeting back to order at 3:30 pm.

Ordinance 4/8/02/A, Porter Rezone:

Ms. Kim Porter requested approval of a rezone for her property from an A-2 to an A-4 for a seasonal garden center. Holt motioned to approve Ordinance 4/8/02/A. Clark seconded. Motion carried unanimously.

Plan Commission Procedures:

Mr. Kiphart presented a procedure for placing Hamilton County Plan Commission recommendations on the Commissioner's Agenda. 1) Plan Commission will call Auditor's office to be placed on the Commissioners agenda the morning after the Plan Commission meeting. 2) Plan Commission staff will notify petitioner by letter and phone call letting them know the date and time of the next available Commissioner's meeting and that additional required information shall be submitted to the Plan Commission office no later than 12:00 noon on the Wednesday prior to the County Commissioner's meeting. 3) Plan Commission staff will prepare the Certificate of Action the day after the Plan Commission meeting. 4) Plan Commission staff will prepare a brief pack of information concerning the petition including the Certificate of Action and petitioners information material and place them in the mail boxes of the Commissioners, County Administrator, the County Attorney and Auditor's office. 5) Plan Commission staff will attend the Commissioner's meeting along with the petitioner as scheduled.

Warning Sirens: (Tape 1, #2019)

Mr. Bob Hendericks stated after discussing with other jurisdictions, who have the responsibility for purchasing and maintaining warning sirens, we have discovered that there is a distinct advantage in buying in quantity. The jurisdictions have asked if there is any way the county could be the buyer of the sirens and let the jurisdiction reimburse the county. The savings could run as high as 20% if we buy 6 or more sirens at a time. The estimate cost is \$20,000.00 each. The jurisdictions are getting behind. They try to budget the purchasing of two or three sirens a

year. Holt asked if it is a density issue when you need a siren? Mr. Hendericks stated yes, but it is also a budget issue. Holt asked what drives a community to put them in? Mr. Hendericks stated public interest. Holt asked if it is typically a tornado? Mr. Hendericks stated tornado or severe thunderstorms. The benefit is in parks, golf courses, trails, working outside, etc. Holt motioned that Emergency Management put together a proposal for county wide buying. Mr. Howard stated we will prepare a resolution and at budget time a notice would be sent asking how many sirens are needed. Clark seconded. Motion carried unanimously.

Wage Determination Committee Appointments:

Holt motioned to appoint Kevin Breniger to the Noblesville Schools Wage Determination Board. Clark seconded. Motion

carried unanimously. Holt motioned to appoint Bob Book for the Clay Regional Waste District Wage Determination Board. Clark seconded. Motion carried unanimously.

Clark adjourned the meeting at 3:45 pm

Commissioners Correspondence:

Delinquent Sewage Letter from Robin M. Mills

Bridge #123, 211th Street over Lock Ditch Letter from Highway Department

4-H Fair County Government Display Memo from Tom Stevens

Proposed Anterurban Trail@Letter from MPO

Notice of Bond Cancellation for Atwood Irrigation

Homeland Security Advisory System Letter from Office of Attorney General

Beam, Longest & Neff Notice of Transmittals:

Hamilton County Culvert Plans Project HCHD #PB-99-0015

Hamilton County Bridge #168, 116th Street over Mud Creek

IDEM Notice of Sewer Permit Applications:

Eller Pointe Condominiums - Fishers

Fishers Office Park - Fishers

Parview at West Clay - Carmel

The Highlands at Stony Creek, Section 2A - Noblesville

The Highlands at Stony Creek, Section 2C - Noblesville

IDEM Request for Approval Voidance Confined Feeding Operation:

Farm ID #2835, Neil A. Johnson

Approval of Generic Modification to Solid Waste Facility Permit
Waste Management of Indiana - Hamilton County Transfer Station

IDEM Notice of Appeal Rights:

Brookside Subdivision, Section 2 - Westfield

Carmel North Plant Interceptor - Carmel

Present:

Sharon R. Clark, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Executive Secretary to Auditor

Fred Swift, Administrative Assistant to Commissioners

Les Locke, Highway Engineer

Michael Howard, Attorney

Wayne Farley, Sheriff's Deputy

Donna Johnston, Highway Public Service Representative

Virginia Hughes, Administrative Assistant to Highway Engineer

Jim Neal, Highway Project Engineer

Dave Lucas, Highway Inspector

Robert Chadwell, Highway Inspector

Steve Broermann, Highway Technical Engineer

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Morasch, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

Mike McBride, Small Structure Staff Engineer

Dustin Teachnor, Highway Assets Manager

Faraz Hahn, Highway Department
Dick Frost, Commentary to Commissioners
Mike Courtney, Riverwylde Subdivision
Becki Wise, USI
Pete Williams, Inrange
Sean Smith, Inrange
Jim Kearns, SBC Ameritech
Judy Levine, County Council
Kate Lewis, Ledger
Jim Vaughn, Fiscal & Grant Analyst
Floyd Burroughs, Floyd Burroughs and Associates
Kathy Richardson, Voter's Registration
Scott Warner, Buildings and Grounds
Kim Porter, Rezone
Bob Hendericks, Emergency Management
BJ Casali, ISSD

APPROVED

HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor